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PATENT, TRADEMARK AND COPYRIGHT LAW  
AND RELATED FEDERAL AND ITC LITIGATION



ATTN: APPLICATION BRANCH

**THIS IS A RESPONSE TO A  
NOTICE TO FILE MISSING  
PARTS OF AN APPLICATION**

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

Re: Inventor: MARYSE GIBERT ET AL  
Serial No: 09/531,438  
Filed: MARCH 20, 2000  
For: CLOSTRIDIUM TOXIN, AND PROCESS FOR THE PREPARATION  
OF IMMUNOGENIC COMPOSITION

SIR:

Attached hereto for filing are the following papers:

**RETURN COPY OF NOTICE TO FILE MISSING PARTS; FILING OF DECLARATION UNDER 37  
CFR 1.53(f); DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION  
(EXECUTED; 3 PAGES); INFORMATION DISCLOSURE STATEMENT; FORM PTO 1449; CITED  
REFERENCES (6); FRENCH AND INTERNATIONAL SEARCH REPORTS WITH ENGLISH  
TRANSLATION OF CATEGORY OF CITED DOCUMENTS**

Our check in the amount of \$.00 is attached covering any required fees. In the event that any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 CFR 1.136 for the necessary extension of time. A duplicate of this sheet is enclosed.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

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Daniel J. Pereira, Ph.D.  
Registration No. 45,518

Docket No. 0660-0172-0 CONT



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**FORMALITIES LETTER**

\*OC000000005150317\*

**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**Address: COMMISSIONER OF PATENT AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/531,438	03/20/2000	Maryse Gibert	0660-0172-0 CONT

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Date Mailed: 06/01/2000

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION****FILED UNDER 37 CFR 1.53(b)*****Filing Date Granted***

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*

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*A copy of this notice **MUST** be returned with the reply.*

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: MARYSE GIBERT ET AL

SERIAL NUMBER: 09/531,438

ATTN: APPLICATION BRANCH

FILING DATE: MARCH 20, 2000

FOR: CLOSTRIDIUM TOXIN, AND PROCESS FOR THE PREPARATION OF IMMUNOGENIC COMPOSITION

**FILING OF DECLARATION UNDER 37 CFR 1.53(f)**

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231



SIR:

Responsive to the notification dated JUNE 1, 2000, and in accordance with the provisions of 37 CFR 1.53(f), Applicants submit herewith a Rule 63 Declaration.

The required fee was paid at the time of filing the application.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

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